

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANTHONY SIMKINS,

Plaintiff,

Civil Action No. 15-12731

v.

Honorable Sean F. Cox
Magistrate Judge R. Steven Whalen

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

_____ /

ORDER TO CORRECT DEFICIENCY

Plaintiff Anthony Simkins filed a complaint in this Court on July 27, 2015, seeking judicial review of the final decision of the Defendant Commissioner denying Social Security Disability benefits. Plaintiff is proceeding without an attorney.

Plaintiff has not paid the filing fee of \$400.00, nor has he filed an application for leave to proceed *in forma pauperis* (“IFP”), which would excuse him from pre-paying the filing fee. In addition, although more than 120 days have passed since the complaint was filed, the Defendant Commissioner has not been served. The complaint is therefore subject to dismissal under Fed.R.Civ.P. 4(m), as well as for failure to pay the filing fee or ask for IFP status.

IT IS THEREFORE ORDERED that within 21 days of the date of this Order,

the Plaintiff must either pay the entire filing fee of \$450.00, OR submit a signed application to proceed without payment of the fee, and for service by the United States Marshals. An application form is included with this Order.

If Plaintiff does not comply with this Order, I will recommend that his complaint be dismissed.

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Date: January 4, 2016

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on January 4, 2016, electronically and/or by U.S. mail.

s/C. Ciesla
Case Manager